

REMARKS

This submission is in response to the request for species election dated October 2, 2007. Claims 1-34 are currently pending. Consideration of the above-identified application, in view of the following remarks, is respectfully requested.

The Examiner has requested a species election of one of each of the following eight species:

Hydrogel
Emollient
Emollient solvent
Emulsifier
Silicon polymer
Thickening agent
Antimicrobial
Alcohol.

In response, Applicants hereby elect the following species, without traverse:

Hydrogel: Cationic hydroxyethyl cellulose
Emollient: Glucam P-20
Emollient solvent: Ethyl Hexyl Glycerin
Emulsifier: Incroquat Behenyl TMS
Silicon polymer: Dimethiconal fluid in dimethicone
Thickening agent: Behenyl alcohol
Antimicrobial: Quaternary ammonium compound
Alcohol: Ethanol.

Applicants make these election of species to be fully responsive to the species election requirement. Claims 1-13, 16, 19-20, 22, and 33-34 read on these species. The Examiner has acknowledged that claims 1-6 and 33-34 are generic claims.

It is Applicants' understanding that, under 35 U.S.C. § 121, if an election of a single species for prosecution on the merits is required, the claims will be restricted if no generic claim is finally held allowable. Pursuant to MPEP 809.02(a) upon allowance of a generic claim, Applicants will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. § 1.141 *et seq.* Accordingly, Applicants submit that upon allowance of the generic claims, all the remaining non-elected claims must be considered.

In view of the above amendments and remarks, it is respectfully requested that the application be considered for substantive examination. If there are any other issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below. Applicants believe no fee is due at this time. However, if any fees are required, the Commissioner is authorized to charge such fee to Deposit Account No. 02-4377.

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Respectfully submitted,
BAKER BOTTS L.L.P.



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